

PATENT APPLICATION
Attorney Docket No.: TRV03-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF)
Dennis R. Berman) Examiner: Gishnock, Nikolai A
Application No.: 10/613,564) Group Art Unit: 3715
Filing Date: July 02, 2003) Confirmation Number: 5486
Title: METHOD AND SYSTEM FOR LEARNING)
KEYWORD BASED MATERIALS)

SUBMITTAL OF MATERIALS FROM CO-PENDING APPLICATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Recently, the Federal Circuit, in *McKesson Information Solutions, Inc., v. Bridge Medical, Inc.* (2005-1517) affirmed a District Court's determination that a patent was unenforceable due to inequitable conduct. The inequitable conduct was based upon a patent attorney's nondisclosure of office actions from co-pending applications.

In light of *McKesson*, I have attached an office action from a co-pending application of the present application. You may or may not find this office action to be material to the present application.

Respectfully submitted,



Hoyt A. Fleming III
Registration No. 41752

Date: November 19, 2008

Address correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label 28422	or <input type="checkbox"/> Correspondence Address Below Park, Vaughan & Fleming LLP P.O. Box 140678 Boise, ID 83714	Direct telephone calls to: Hoyt A. Fleming III (208) 336-5237
--	--	---